



Atty. Docket No.: MH-001 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Michael Hogendijk )  
Serial No.: )  
10/723,565 )  
Filing Date: )  
November 25, 2003 )  
For: VASCULAR PROSTHESIS )  
INCLUDING TORSIONAL )  
STABILIZER AND METHODS )  
OF USE )

---

San Diego, California

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97 (b)**

Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.56, Applicant makes the documents, listed on the enclosed form PTO/SB/08, of record in the above-identified application. In accordance with 37 C.F.R. § 1.97, this statement is not to be construed as a representation that a search has been made, and is not a representation that the information cited is effective as prior art to the application or is material to patentability.

It is respectfully requested that these documents be (1) fully considered by the U.S. Patent and Trademark Office in the examination of the above-identified application; and

(2) printed on any patent which may issue on this application. It is also respectfully requested that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned to the undersigned with the next communication in accordance with M.P.E.P. § 609.

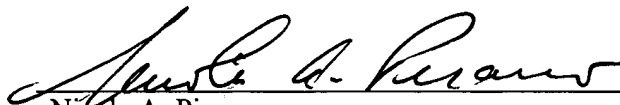
Copies of the U.S. patents listed on the enclosed form PTO/SB/08a are not enclosed, in accordance with the waiver of the requirement of 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 that appears in the Official Gazette Notice (Week No. 31) dated August 5, 2003 and entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" and MPEP 609 III. A(2). A copy of the foreign patent publication is enclosed herewith.

This Information Disclosure Statement is filed before the mailing of a first Office Action, pursuant to 37 C.F.R. 1.97(b). Therefore, it is believed that no fee is required in connection with this submission. In the event that a fee is required, please charge our Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Respectfully submitted,

Date

April 26, 2005



Nicola A. Pisano

Attorney for Applicant(s)

Reg. No. 34,408

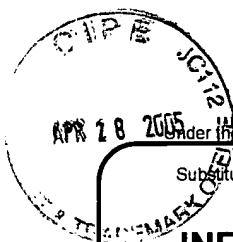
c/o

LUCE, FORWARD, HAMILTON  
& SCRIPPS LLP

11988 El Camino Real, Ste. 200

San Diego, California 92130

Telephone No.: (858) 720-6300



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 4

**Complete if Known**

Application Number	10/723,565
Filing Date	11-25-2003
First Named Inventor	Michael Hogendijk
Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	MH-001 CIP

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 4,553,545	11-19-1985	Maass et al.	
		US- 4,655,771	04-07-1987	Wallsten	
		US- 4,665,918	05-19-1987	Garza et al.	
		US- 4,739,762	04-26-1988	Palmaz	
		US- 4,768,507	09-06-1988	Fischell et al.	
		US- 4,886,062	12-12-1989	Wiktor	
		US- 5,019,090	05-28-1991	Pinchuk	
		US- 5,104,404	04-14-1992	Wolff	
		US- 5,147,370	09-15-1992	McNamara et al.	
		US- 5,246,445	09-21-1993	Yachia et al.	
		US- 5,314,444	05-24-1994	Gianturco	
		US- 5,344,426	09-06-1994	Lau et al.	
		US- 5,421,955	06-06-1995	Lau et al.	
		US- 5,423,885	06-13-1995	Williams	
		US- 5,441,515	08-15-1995	Khosravi et al.	
		US- 5,443,500	08-22-1995	Sigwart	
		US- 5,476,505	12-19-1995	Limon	
		US- 5,540,713	07-30-1996	Schnepp-Pesch et al.	
		US- 5,551,954	09-03-1996	Buscemi et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		WO0062711	10-26-2000	Smart Therapeutics, Inc.		

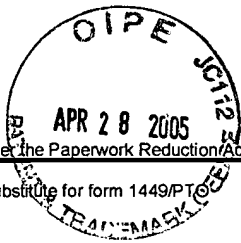
Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 2

of 4

### Complete if Known

Application Number	10/723,565
Filing Date	11-25-2003
First Named Inventor	Michael Hogendijk
Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	MH-001 CIP

### U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,556,413	09-17-1996	Lam	
		US- 5,607,478	03-04-1997	Lentz et al.	
		US- 5,817,152	10-06-1998	Birdsall et al.	
		US- 5,824,052	10-20-1998	Khosravi et al.	
		US- 5,824,053	10-20-1998	Khosravi et al.	
		US- 5,833,699	11-10-1998	Chuter	
		US- 6,086,604	07-11-2000	Fishcell et al.	
		US- 6,156,062	12-05-2000	McGuinness	
		US- 6,238,430	05-29-2001	Klumb et al.	
		US- 6,248,122	06-19-2001	Klumb et al.	
		US- 6,331,189	12-18-2001	Wolinsky et al.	
		US- 6,334,870	01-01-2002	Ehr et al.	
		US- 6,348,065	02-19-2002	Brown et al.	
		US- 6,409,754	06-25-2002	Smith et al.	
		US- 6,423,091	07-23-2002	Hojeibane	
		US- 6,425,915	07-30-2002	Khosravi et al.	
		US- 6,432,128	08-13-2002	Wallace et al.	
		US- 6,503,270	01-07-2003	Richter et al.	
		US- 6,508,834	01-21-2003	Pinchasik et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

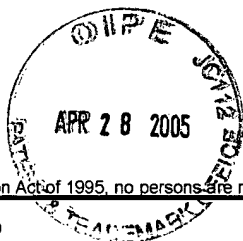
Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND**  
TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3

of 4

**Complete if Known**

Application Number	10/723,565
Filing Date	11-25-2003
First Named Inventor	Michael Hogendijk
Art Unit	3731
Examiner Name	Unassigned
Attorney Docket Number	MH-001 CIP

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 6,533,805	03-18-2003	Jervis	
		US- 6,540,775	04-01-2003	Fishcell et al.	
		US- 6,565,600	05-20-2003	Hojeibane	
		US- 6,572,643	06-03-2003	Gharibadeh	
		US- 6,576,006	06-10-2003	Limon et al.	
		US- 6,589,276	07-08-2003	Pinchasik et al.	
		US- 6,596,021	07-22-2003	Lootz	
		US- 6,607,554	08-19-2003	Dang et al.	
		US- 6,635,084	10-21-2003	Israel et al.	
		US- 6,645,237	11-11-2003	Klumb et al.	
		US- 6,656,220	12-02-2003	Gomez et al.	
		US- 6,660,032	12-09-2003	Klumb et al.	
		US- 6,679,911	01-20-2004	Burgermeister	
		US- 6,736,844	05-18-2004	Glatt et al.	
		US- 6,746,475	06-08-2004	Rivelli, Jr.	
		US- 20020004676	01-10-2002	Wallace, George et al.	
		US- 20020095206	07-18-2002	Addonizio, Scott J. et al.	
		US- 20040034402	02-19-2004	Bales, Thomas et al.	
		US- 20040044401	03-04-2004	Bales, Thomas et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

